

AGENDA



Recommendation for Council Action

Austin City Council	Item ID	37786	Agenda Number	3.
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Meeting Date:	11/20/2014	Department:	Austin Code Enforcement
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Subject

Approve an ordinance amending City Code Chapter 4-14 relating to the requirements to register rental property.

Amount and Source of Funding

Fiscal Note

A fiscal note is not required.

Purchasing Language:	
Prior Council Action:	Ordinance 20130926-012 was approved on September 26, 2013 and went into effect on October 7, 2013.
For More Information:	Carl Smart, Austin Code Director, 512.974.1970 or Todd Wilcox, Division Manager, 512.974.2540.
Boards and Commission Action:	
MBE / WBE:	
Related Items:	

Additional Backup Information

The proposed code amendment

- deletes "habitability" and "dangerous" definitions;
- removes the requirement that the violations be based on conditions that impair habitability or are dangerous;

and

- extends the time period that violations can subject a property to the "Repeat Offenders Program."

Staff recommends these changes for the reasons below.

Any violation of the City's Property Maintenance Code (and other similar technical codes), Chapter 10-5, Article (Sanitary Condition of Real Property), Chapter 10-7 (Pools and Spas), or Section 25-11-32 (Permit Required) that is not timely corrected, irrespective of its severity, has an impact on a tenant's quality of life. Additionally, a failure to comply with a Notice of Violation, even for a minor violation, typically indicates an indifference that over time will

have a cumulative effect and as a result reduce the quality of life for all tenants.

Currently, when ACD issues a notice of violation and the property owner fails to timely correct the violation, ACD staff looks back 12 months for prior notices or citations. ACD staff has determined that looking back 12 months does not necessarily account for the cumulative effects of non-compliance at multi-family properties. As a result, ACD staff believes that a 24-month period will better account for the cumulative effects of non-compliance.